

Good morning, my name is Keith Rosol and I am a physician from Grand Rapids. I am pleased to have the opportunity to speak with you today in support of this self defense Bill. I hope to offer a useful perspective on this issue... and that is the perspective of an average Michigan citizen. It may in fact be a unique perspective in this setting because I bring no baggage to this committee. I am not a representative of any particular special interest group, I am not a lobbyist or a politician. I have a busy medical practice in Grand Rapids and I assure you it has nothing to do with self defense and the use of deadly force. I felt compelled though, to speak today because I sincerely believe the families of Michigan deserve this Bill, but I was concerned that polarized special interest groups would debate this issue to the point where the resulting dramatization and hyperbole could possibly overshadow the true meaning and spirit of this Bill. It was my hope that an average citizen could offer some words of clarity.

What then does this Bill mean for Michigan citizens? Will this change the landscape of self defense? Will this Bill change the way we live our lives or the way we act??? I think the answer is no. You and I and the good citizens of Michigan already have a good visceral and moral understanding of right and wrong. Each of us as parents and spouses have an understanding of the kind of circumstance that would warrant the use of force or even deadly force in defense of our family. What this Bill does is acknowledge what we already know to be true, it simply clarifies the rights and duties of self defense for Michigan citizens so that rather than being only implied these rights and duties will be written in statute.

I have heard inflammatory statements by those that oppose this Bill, claiming that new rights will be given to people so that violence will erupt and people will be allowed to 'kill each other over a parking space.' People that make these comments are either entirely ignorant of the Bill itself or they are attempting to be deceptive... I think it is likely the later. This Bill creates no such right; a criminal has to clearly act in an aggressive and threatening manor that would cause another person to truly believe they were in imminent danger of death or great bodily harm, not imminent danger of losing a parking spot, but imminent danger of death. I'm sure those of you on the committee see the obvious difference in these two circumstances,---please give my wife and I credit for knowing the difference as well.

Those opposing this Bill may also try to use such false but inflammatory statements in hopes of confusing people about how this Bill applies to the public domain, like a Meijer parking lot for example, as opposed to how it applies to the sanctity of a person's home.

It should be made very clear that this bill does acknowledge a significant difference in a citizen's rights and duties in their home as compared with the public domain, as it should. A person's home is a sanctuary from the world. This is a place where families should feel safe. This is where we help our children with their homework, we share meals with loved ones, we pray and we sleep. This is the place we are most vulnerable, and this is why it is a special circumstance when a criminal invades a home. A criminal that breeches the physical barrier of the walls of an occupied home is by definition a very aggressive and brazen perpetrator who by the very act of invading the home, identifies himself clearly as an individual intent on great bodily harm, rape or even death. This person has already shown by his actions that nothing is going to stop him from getting what he wants. Fortunately in many cases where lethal force is used against a home invader, law enforcement has not pursued criminal charges against the home owner because it is generally accepted that a home invader is a menacing individual and it is reasonable to presume that they mean to cause death or great bodily harm. The problem is, this presumption is only implied, and Michigan law does not adequately define the rights and duties of people facing a home invasion. Because of this lack of clarity, a mother forced to use deadly force to protect her children from a menacing home invader or protect herself from a stranger in her own bedroom may find herself on unsteady legal ground. She is therefore left to the mercy or good will of the local prosecutor or district attorney and she is certainly not protected in any way from civil liability by Michigan Law. This my friends, is unacceptable. Michigan citizens deserve better than this.

This Bill will not change the way people live or act, it simply specifically describes the rights and duties of homeowners and establishes in law something that we all already know to be true. This Bill acknowledges that it is reasonable to presume that a criminal who forcibly invades your home is there to cause death or great bodily harm.

In summary: I encourage you to reject inflammatory rhetoric that does not accurately reflect the meaning of this bill. I also encourage you to be wary of those that would attempt to create confusion as to how this legislation applies to the public domain and how there is a very different presumption applied to the sanctity of the home. I ask the committee to move forward with this Bill because the families of Michigan deserve to have their self defense rights and duties clearly stated in statute rather than only implied. Thank you.